

Notice of Allowability

Application No.

09/497,373

Examiner

Jeffrey A. Smith

Applicant(s)

ALON ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response filed 2/9/06.
2. ☒ The allowed claim(s) is/are 2-4,6,8-19,21-23,25,27-35,56-61,64-77 and 80-92.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jeffrey A. Smith
Primary Examiner

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REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Group A:

Regarding claim 6

The prior art of record neither anticipates nor fairly and reasonably teaches a method for using a computer to facilitate a sales transaction for purchasing a product/service by a group of buyers from a seller, comprising, *inter alia*, the steps of automatically providing by the agent entity each received suggested price quotation to at least a plurality of the sellers for review, wherein the agent entity is an agent of the group of buyers; and receiving by the agent entity another suggested price quotation for the product/service from the at least one of the plurality of sellers.

Regarding claims 25 and 74

Claims 25 and 74 are each parallel in subject matter to the feature noted above with respect to claim 6 and are allowable for reasons similar to those provided for claim 6.

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The most remarkable prior art of record is to Pallakoff (U.S. Patent No. 6,269,343) and Reuhl et al. (U.S. Patent No. 5,873,069).

Although Pallakoff discloses many features similar to those recited in the above-indicated claims, Pallakoff still fails to teach the above-noted features in the above-noted claims.

Reuhl et al. teaches that a price-changing function of the system is responsive to competitive price data on identical or substantially similar products in multiple geographic markets for multiple competitors (col. 3, lines 58-61). This teaching, however, falls well short of teaching automatically providing by an agent entity each received suggested price quotation (from a seller) to at least a plurality of sellers for review; and receiving by the agent entity another suggested price quotation for the product from at least one of the sellers. Moreover, Reuhl et al. does not teach that such price-changing function serves to facilitate a sales transaction for purchasing a product by a group of buyers.

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Group B:

Regarding claim 8

The prior art of record neither anticipates nor fairly and reasonably teaches a method for using a computer to facilitate sales transaction for purchasing a product/service by a group of buyers from at least one seller, comprising, *inter alia*, the step of verifying that a plurality of buyers in the group satisfy a predetermined requirements list that requires a plurality of buyers in the group to have a common employer, wherein the common employer is independent of the seller.

Regarding claims 27 and 56

Claims 27 and 56 are each parallel in subject matter to the feature noted above with respect to claim 8 and are allowable for reasons similar to those provided for claim 8.

Regarding claim 90

The prior art of record neither anticipates nor fairly and reasonably teaches a method for using a computer to facilitate a sales transaction for purchasing a product/service by a group of buyers from a seller, comprising, *inter alia*, the step of verifying that a plurality of buyers in the group share a common

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characteristic associated with a third party that is not any of the buyers or the seller.

Regarding claims 91 and 92

Claims 91 and 92 are each parallel in subject matter to the feature noted above with respect to claim 90 and are allowable for reasons similar to those provided for claim 90.

The most remarkable prior art of record is to Pallakoff (U.S. Patent No. 6,269,343), Shkedy (U.S. Patent No. 6,260,024), Brown (U.S. Patent No. 5,794,219) and Goddard (U.S. Patent No. 6,876,983).

Although Pallakoff discloses many features similar to those recited in the above-indicated claims, Pallakoff still fails to teach the above-noted features.

Shkedy discloses "[c]ryptographic protocols are provided to authenticate the identity of buyer and/or sellers and verify the integrity of buyer and seller" (col. 7, lines 5-8). This teaching, however, falls well short of providing a step of either verifying that a plurality of buyers in the group share a common characteristic associated with a third party that is not any of the buyers or the seller or verifying that a plurality of buyers in the group satisfy a predetermined requirements list

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that requires a plurality of buyers in the group to have a common employer, wherein the common employer is independent of the seller.

Brown discloses a method of conducting an on-line auction with bid pooling. The method pits groups of bidders against each other in order to win an auctioned item. Although associations with a third-party can be formed (col. 7, lines 54-56), there is no requirement that a bidder share a common characteristic with the third-party and there is no verification that a bidder shares a common characteristic with the third-party. Similarly, Brown fails to teach a step of verifying that a plurality of buyers in the group satisfy a predetermined requirements list that requires a plurality of buyers in the group to have a common employer, wherein the common employer is independent of the seller.

Goddard (U.S. Patent No. 6,876,983) discloses a system and method for facilitating aggregate shopping. Goddard teaches that each shoppers group can be characterized by geographic location and other characteristics other than a designated product which may be used to differentiate between various groups (col. 4, lines 31-36). These characterizations are made as an analysis of a group after it is formed, but are not taught as a requirement that member of the group share a common

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characteristic with a third-party. There is no verification, as such, either that a plurality of buyers in the group share a common characteristic associated with a third party or that a plurality of buyers in the group satisfy a predetermined requirements list that requires a plurality of buyers in the group to have a common employer, wherein the common employer is independent of the seller.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

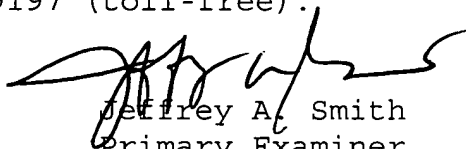
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Smith whose telephone number is (571) 272-6763. The examiner can normally be reached on M-F 6:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert M. Pond can be reached on 571-272-6760. The fax phone number for the

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organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey A. Smith
Primary Examiner
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